

PATENT

## NYDEGGER & ASSOCIATES

ATTORNEYS AT LAW

348 OLIVE STREET  
SAN Diego, CALIFORNIA 92103

email@nydegger.com

TELEPHONE  
(619) 688-1300  
FACSIMILE  
(619) 688-1322

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Slate et al. )  
Serial No.: 10/662,001 )  
Filed: September 12, 2003 )  
For: SEQUENTIAL IMPULSE/DELIVERY FLUID )  
MEDICAMENT INJECTOR )  
Examiner: Unknown )  
Attorney Docket: 11102.2.1 )

### TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Mail Stop DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

The Information Disclosure Statement submitted herewith is being filed within three months of the filing of the above-captioned application, or date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits whichever occurs last. 37 CFR 1.97(b).

The Commissioner is hereby authorized to charge payment of any necessary fees associated with this communication or credit any overpayment to Deposit Account No. 14-1519. A duplicate of this request is enclosed.

Respectfully submitted this 29<sup>th</sup> day of January, 2004.



NEIL K. NYDEGGER  
Attorney for Applicant  
Registration No. 30,202

Transmitted: Information Disclosure Statement; PTO Form 1449;  
and 5 references.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Slate et al. )  
Serial No.: 10/662,001 ) Art Unit  
Filed: September 12, 2003 ) 3661  
For: SEQUENTIAL IMPUSE/DELIVERY FLUID )  
MEDICAMENT INJECTOR )  
Examiner: Unknown )  
Attorney Docket: 11102.2.1 )

INFORMATION DISCLOSURE STATEMENT

Mail Stop DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

The following sections are being submitted for this Information Disclosure Statement:

1. X Preliminary Statements
2. X FORM PTO - 1449 (Modified)
3. X Identification of Prior Application In Which Listed Information Was Already Cited and For Which No Copies are Submitted Or Need be Submitted.
4. X Copies of Listed Information Items Accompanying This Statement.
5.    Concise Explanation of Non-English Language Listed Information Items.
6.    Translation(s) of Non-English Language Documents.
7.    Certification Under 37 C.F.R. §1.97.(e).
8.    Fee as required under 37 C.F.R §1.17(p).
9.    Petition requesting consideration of Statement and Petition Fee as set forth in 37 C.F.R. §1.17(i)(1).
10. X Identification of Person(s) Making This Information Disclosure Statement.

## **Section 1. Preliminary Statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

FORM PTO-1449 (Modified)  
U.S. Dept of Commerce  
Patent and Trademark Office

List Submitted in Accordance  
with 37 CFR § 1.98 (a)(1)

Attorney Docket: 11102.2.1  
Serial No.: 10/662,001  
Applicant: Slate et al.  
Filing Date: September 12, 2003  
Group No.: 3661



U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Patentee</u>
— AA	3,605,745	09/20/71	Hodosh
— AB	3,640,277	02/08/72	Adelberg
— AC	4,059,107	11/22/77	Iriguchi et al.
— AD	4,437,859	03/20/84	Whitehouse et al.

Foreign Patent Documents

<u>Document Number</u>	<u>Pub. Date</u>	<u>Country</u>	<u>Translation</u>
— A			

Other Documents

(including Author, Title, Pertinent Pages, date and place of publication)

— A Rayman, G., Walker R., Day, J.O., Diabetic Medicine, Patient Experience with a Jet Injector, Jan. 1, 1989, pp. 6: 274-276.

Examiner: \_\_\_\_\_ Date Considered: \_\_\_\_\_

\* EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**Section 3. Identification Of Prior Application In Which Listed Information Was Already Cited and For Which No Copies Are Submitted Or Need Be Submitted.**

This application relies, under 35 U.S.C. 120, on the earlier filing date of prior application Serial No. 09/892,366 filed on June 26, 2001 which issued on November 25, 2003 as patent number 6,652,483 B2. The following references were submitted to and/or cited by the Office in this prior application and, therefore, are not required to be provided in this application.

<u>Patent No.</u>	<u>Issue Date</u>	<u>Name</u>	<u>Country</u>
2,101,140	12/07/37	Hege	USA
4,403,609	09/13/83	Cohen	USA
5,024,656	06/18/91	Gasaway	USA
5,062,830	11/05/91	Dunlap	USA
5,112,317	05/12/92	Michel	USA
5,190,523	03/02/93	Lindmayer	USA
5,279,585	01/18/94	Balkwill	USA
5,399,163	03/21/95	Peterson	USA
5,503,627	04/02/96	McKinnon	USA
5,520,639	05/28/96	Peterson	USA
5,911,703	06/15/99	Slate	USA
6,110,149	08/29/00	Klitgaard	USA
6,200,296	03/13/01	Dibiasi	USA
6,248,095	06/19/01	Giambattista	USA
6,340,357	01/22/02	Poulsen	USA
WO 98/13085	04/02/98		PCT
0 063 341		Detbarn et al.	Europe

**Section 4. Copies of Listed Information Items Accompanying This Information Disclosure Statement.**

Legible copies of **all** items listed below accompany this Information Disclosure Statement.

<u>Patent No.</u>	<u>Date</u>	<u>Name</u>	<u>Country</u>
3,605,745	09/20/71	Hodosh	USA
3,640,277	02/08/72	Adelberg	USA
4,059,107	11/22/77	Iriguchi et al.	USA
4,437,859	03/20/84	Whitehouse et al.	USA

Rayman, G., Walker R., Day, J.O., Diabetic Medicine,  
Patient Experience with a Jet Injector, Jan. 1, 1989, pp.  
6: 274-276.

**Section 10. Identification of Person(s) Making this Information Disclosure Statement.**

The person making this statement is

(a)        the inventor(s) who signs below

---

SIGNATURE OF INVENTOR

---

Name of Inventor

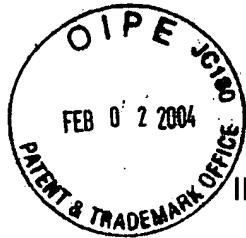
(b) X the attorney who signs below on the basis of:

X the information supplied by the inventor(s)  
       an individual associated with the filing and prosecution of this application (37 CFR 1.56(c))  
X the information in the attorney's file



NEIL K. NYDEGGER  
Attorney for Applicant  
Registration No. 30,202

NYDEGGER & ASSOCIATES  
348 Olive Street  
San Diego, CA 92103  
Telephone: (619) 688-1300  
Facsimile: (619) 688-1322



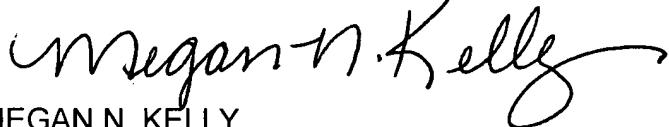
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Slate et al. )  
Serial No.: 10/662,001 ) Art Unit  
Filed: September 12, 2003 ) 3661  
For: SEQUENTIAL IMPULSE/DELIVERY FLUID )  
MEDICAMENT INJECTOR )  
Examiner: Unknown )  
Attorney Docket: 11102.2.1 )

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I hereby certify that this Information Disclosure Statement (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, with sufficient postage as first class mail pursuant to 37 CFR 1.8(a) on this 29th day of January, 2004.

  
MEGAN N. KELLY  
Legal Document Assistant